

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

BRIAN JOHNSTON, *et al.*

Serial No. 09/137,059

Filed: August 20, 1998

For: ANTISENSE AND ANTIGENE
THERAPEUTICS WITH
IMPROVED BINDING
PROPERTIES AND METHODS
FOR THEIR USE

Art Unit: 1635

Examiner: M.M. Schmidt

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Assistant Commissioner of Patents, Washington, DC 20231 on March 30, 2000.

Signed: Wendy Wilson

Wendy Wilson

RESPONSE TO OFFICE ACTION

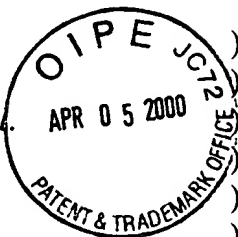
Assistant Commissioner of Patents
Washington, D.C. 20231

Sir:

The following is in response to the Office Action mailed October 4, 1999. A Petition for Extension of Time of four months up to April 3, 2000 and the required fee of \$680.00 pursuant to 37 C.F.R. 1.17(d) are enclosed herewith.

In the October 4, 1999 Office Action, the Examiner imposed a restriction as between:

- | | | |
|-----------|---|---|
| Group I | - | Claims 1-17, drawn to nucleic acid molecule compositions, classifiable in class 536, subclass 23.1. |
| Group II | - | Claim 18, drawn to a method for inhibiting the transcription or translation of a target nucleic acid molecule, classifiable in class 435, subclass 375. |
| Group III | - | Claims 19-22, drawn to a method of covalently bonding a platinum molecule to an oligonucleotide and oligonucleotide obtained via said method, classifiable in classes 435 and 536, subclasses 375 and 23.1, respectively. |

#18/E
M. QJ
4/13/00RECEIVED
APR 12 2000
MAIL ROOM

Serial No.: 09/059
Filing Date: August 20, 1998



Group IV - Claim 23, drawn to method for detecting the presence of a target molecule in a composition via binding a catalytically inactive RNA wherein said inactive RNA becomes catalytically active, classifiable in class 435, subclass 6.

Applicant hereby elects Group IV, Claim 23.

As a consequence, please cancel Claims 1-22 as being drawn to non-elected inventions.

A Preliminary Amendment will be submitted in due course to expand the claim set within this Group IV.

The Commissioner is hereby authorized to charge any additional fees, including extension fees, or credit any overpayment to Deposit Account No. 06-1300 (Our Order No. A-65200/RFT).

Respectfully submitted,

FLEHR HOHBACH TEST
ALBRITTON & HERBERT LLP


Richard F. Trecartin, Reg. No. 31,801

Four Embarcadero Center, Suite 3400
San Francisco, California 94111
Telephone: (415) 781-1989